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April 22, 2005

Ms. Marlene Dortch Federal Communications Commission Office of the Secretary 445 Twelfth Street, S.W. Washington, D.C. 20554

> Re: Petitioner's Comments & Motion to Dismiss Cave City, Arkansas (MB Docket No. 05-104)

Dear Ms. Dortch:

Enclosed is an original and four (4) copies of Petitioner's Comments and Motion to Dismiss for Channel 254A at Cave City, Arkansas.

Respectfully submitted,

Charles Crawford 4553 Bordeaux Ave. Dallas, Texas 75205 (214) 520-7077

Cave City Comment Cover

No. of Partice recid. 014 List on Net

## Before the

Federal Communications Commission
Washington, D.C. 20554

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In the Matter of

Amendment of 73.202 (b)

Table of Allotments

FM Broadcast Stations
(Cherokee Village and Black
Rock, Arkansas, and Thayer,
Missourí: and Cave City,

MB Docket No.05-104

RM-10837

RM-10838

To:

Office of the Secretary

Attn:

Arkansas)

Audio Division, Media Bureau

#### PETITIONER'S COMMENTS

)

On or about September 16, 2003, I filed a Petition for Rule Making proposing Channel 254A to Cave City, Arkansas as its first local commercial FM transmission service.

Just prior to my filing and unknown to me, KFCM, Inc and Bragg Broadcasting, Inc. ("Joint Parties") filed a Petition for Rule Making for Channel 252C2 at Black Rock, Arkansas which conflicted with 254A at Cave City, Arkansas. On March 14, 2005, the Commission released a Notice of Proposed Rule Making in the above captioned proceeding, seeking public comment regarding the two conflicting petitions.

Given my belief in the FCC public interest benefits in serving the special communications needs in rural areas of

this country. And after reviewing the Joint Parties proposal to provide a first local service to Black Rock, Arkansas whereas my proposed Channel 254A at Cave City, Arkansas represents that communities second service. I have decided to withdraw my expression of interest in Channel 254A at Cave City, Arkansas and support the Joint Parties proposed Channel 252C2 at Black Rock, Arkansas. Attached is a Motion to Dismiss Petition and an appropriate Affidavit, required by 47 CFT 1.420(j).

The factual information provided in these Comments is correct and true to the best of my knowledge.

Respectfully submitted,

Charles Crawford / 4553 Bordeaux Ave. Dallas, Texas 75205 (214) 520-7077

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite 600, 1050 17<sup>th</sup> Street, N.W., Washington, D.C. 20036, telephone (202) 496-1289, telecopier (301) 762-0156, attorney for Charles Crawford. It is requested that the Commission and any parties who may file pleadings in the captioned matter serve copies to Mr. Bechtel as well as Charles Crawford.

April 22, 2005

Cave City Comment

<sup>&</sup>lt;sup>1</sup> Cave City, Arkansas is currently served by KZIG FM, Channel 210A, non commercial.

# Before the Federal Communications Commission Washington, D.C. 20554

In the Matter of	)	
Amendment of 73.202 (b) Table of Allotments FM Broadcast Stations (Cherokee Village and Black Rock, Arkansas, and Thayer, Missouri: and Cave City, Arkansas)	) ) ) ) ) )	MB Docket No.05-104 RM-10837 RM-10838

To: Office of the Secretary

Attn: Audio Division, Media Bureau

### Motion to Dismiss Petition

I, Charles Crawford, respectfully move that the FCC dismiss my Petition for Rule Making which I filed on September 16, 2003, to allot Channel 254A to Cave City, Arkansas. I have decided not to pursue the allotment of Channel 254A at Cave City, Arkansas at this time.

An appropriate Affidavit, required by 47 CFR 1.420(j), is attached hereto.

Respectfully submitted,

Charles Crawford 4553 Bordeaux Ave. Dallas, Texas 75205 (214) 642-6410

April 22, 2005

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### SWORN AFFIDAVIT

Charles Crawford does state under penalty of perjury:

- 1. My name is Charles Crawford and I filed a Petition for Rule Making to allot Channel 254A to Cave City, Arkansas on September 16, 2003.
- 2. I have concluded to request that the FCC dismiss my Petition/ expression of interest. I hereby certify that I have not nor will not receive, either directly or indirectly, any money or other consideration in connection with the dismissal of the Petition/ expression of interest. I declare that the foregoing factual information is true and correct to the best of my knowledge, information and belief.

Executed this 22<sup>nd</sup> day of April, 2005.

Charles Crawford

### CERTIFICATE OF SERVICE

I, Charles Crawford, hereby certify that on this 22<sup>nd</sup> day of April, 2005, I caused copies of the foregoing "Comments of Charles Crawford" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

Gene A. Bechtel, Esq. 1050 17<sup>th</sup> Street, N.W., #600 Washington, D.C. 20036

Jason Roberts, Esq.
Irwin, Campbell & Tannenwald, P.C.
1730 Rhode Island Ave., N.W., #200
Washington, D.C. 20036-3101

John W. Bagwell, Esq. Leventhal, Senter & Lerman, PLLC 2000 K Street, N.W., #600 Washington, D.C. 20005

Citadel Broadcasting Company City Center West, #400 7201 W. Lake Mead Blvd. Las Vegas, Nevada 89128

Charles Crawford

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